

DOCKET NO: C01005.70008.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Pykett, et al.
Serial No: 10/088,826
Confirmation No: 5264
Filed: March 22, 2002
For: METHODS AND DEVICES FOR OBTAINING NON-
HEMATOPOIETIC LINEAGE CELLS FROM
HEMATOPOIETIC PROGENITOR CELLS
Examiner: Not Yet Assigned
Art Unit: Not Yet Assigned

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 24 day of September, 2002.

Maria A. Trevisan, Reg. No. 48,207

Commissioner for Patents
Washington, D.C. 20231

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).


By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Pykett, et al., *Applicant(s)*

By: _____



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Docket No. C01005 70008.US
Date: September 24, 2002
XNDDX

FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 10/088,826		ATTY. DOCKET NO.: C01005.70008.US	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: March 22, 2002		CONFIRMATION NO.: 5264	
		APPLICANT: Pykett, et al.			
		GROUP ART UNIT: Not Yet Assigned		EXAMINER: Not Yet Assigned	
Sheet	1	of	1		

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		WO	01/19966	A2	Louis Kunkel	03-22-2001	Y
		WO	01/19379	A2	Louis Kunkel	03-22-2001	Y
		WO	00/50048		Bryon Petersen et al.	08-31-2000	Y
		WO	99/16863		Christopher Bjornson et al.	04-08-1999	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
		J. Travis, <i>Science News Online</i> , Bone marrow cells can build new muscle, pgs. 1-2, March 7, 1998	Y	
		Fuchs et al., <i>Cell</i> ; (2000 Jan);100:143-155, Stem Cells: A New Lease on Life		
		Howard Hughes Medical Institute, Stem Cells May Be Powerful Gene Shuttle; (1999 Sept. 22);1-3		

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]